

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2001-44-C - ORDER NO. 2002-339

APRIL 25, 2002

IN RE:	Application of Mercury Long Distance, Inc.)	ORDER APPROVING
	for a Certificate of Public Convenience and)	WITHDRAWAL OF
	Necessity to Provide Resold Intrastate)	APPLICATION
	Interexchange Telecommunications Services.)	WITHOUT PREJUDICE

This matter comes before the Public Service Commission of South Carolina (the "Commission") on the request of Mercury Long Distance, Inc. ("Mercury" or the "Applicant") to withdraw its Application for a Certificate of Public Convenience and Necessity to provide resold intrastate interexchange telecommunications services within the State of South Carolina. By letter dated April 17, 2002, counsel for Mercury requested that the Applicant be allowed to withdraw its pending Application for authority to operate as a reseller of intrastate interexchange telecommunications services within the State of South Carolina without prejudice.

Prior to filing of Mercury's Motion to Withdraw its Application, the Commission Staff filed on April 11, 2002, a Motion to Dismiss Application of Mercury due to the Applicant's failure to comply with the Orders of this Commission to prefile testimony as provided by 26 S.C. Regs. 103-869(C) (Supp. 2001) and for failure to comply with requests of the Commission Staff for additional documentation to complete its Application. Thereafter, counsel for Mercury submitted a letter dated April 17, 2002, to

serve as Mercury's Motion to Withdraw the Application. Additionally, counsel for Mercury inquired as to the necessity of the scheduled hearing in this matter for May 2, 2002.

Upon consideration of Mercury's April 17, 2002 letter requesting withdrawal of its Application and the Commission Staff's Motion to Dismiss, the Commission finds and concludes that Mercury's Application can be withdrawn without prejudice. Further, the Commission finds no reason to proceed with the hearing previously scheduled for May 2, 2002, in this Docket.

IT IS THEREFORE ORDERED THAT:

1. The request of Mercury Long Distance, Inc. to withdraw its Application for a Certificate of Public Convenience and Necessity to provide resold intrastate interexchange telecommunications within the State of South Carolina is granted without prejudice.
2. The scheduled hearing in this Docket is cancelled.

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3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

William Law

Chairman

ATTEST:

Mary E. Walsh
Executive Director

Executive Director

(SEAL)